

Dear Friend:

State law requires that most items on store shelves must be individually marked with a price tag. If those price tags do not match the price that is scanned at the cash register, the law gives you specific rights (see other side). Keep this card in your wallet or purse and refer to it whenever you have a question about your item pricing rights.

Sincerely,

*John J. Gleason*



For more information, contact my office:

**State Senator • 27th District**

**John J. Gleason**

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# Item Pricing Bill of Rights



**Our State law requires that most items on store shelves be clearly marked with a price tag. If an automatic checkout system (scanner) charges you more than the marked price of an item, and:**

1. The transaction has been completed, and
2. You have a receipt indicating the item purchased and the price charged for it, then
3. You must notify the seller that you were overcharged, within 30 days of the transaction, either in person or in writing. Within two days of receiving your notice, the seller may choose to refund you the difference between the amount

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charged and the price marked plus a "bonus" of ten times the difference, with a minimum of \$1.00 and a maximum of \$5.00. If the seller refuses to give you both the refund and the bonus, you may bring a lawsuit to recover your actual damages or \$250, whichever is greater, plus reasonable attorney fees up to \$300.

### **Additional Considerations:**

- If the item is not marked with a price and you suffer a loss due to an overcharge, you may bring a lawsuit to recover your actual damages or \$250, whichever is greater, plus reasonable attorney fees up to \$300.

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- If you bring a lawsuit and can prove violations of the law occurred on separate occasions, you may recover your actual damages or \$250, whichever is greater, for each day on which violations of the law are found.
- If you purchase several identical items at once and are overcharged on each, you may collect the bonus only once, but you are entitled to the refund of the difference for each identical item.
- If you decide to bring a lawsuit against the seller, you can choose to file a complaint in a Small Claims Court without an attorney.